

### **REMARKS**

Favorable reconsideration of the subject application is respectfully requested in view of the above amendments and the following remarks. Following the amendments, claims 11-25 are pending, with claims 14 and 19 being in independent format.

Claims 2-6 have been cancelled as being drawn to non-elected subject matter. The applicant reserves the right to pursue claims to the subject matter of cancelled claims 2-6 in a divisional patent application. Claim 14 has been amended to clarify that the shut-off valve is located on the housing of the claimed device. Support for the amendment may be found, for example, in Figs. 1 and 2, and throughout the specification as originally filed.

It is urged that support for the above amendments may be found throughout the specification as originally filed and that none of the amendments constitute new matter or raise new issues for consideration.

### **Claim Rejections under 35 USC §103**

Claims 12, 14, 15, 17 and 18 stand finally rejected under 35 USC §103(a) as being unpatentable over Silver (US Patent 4,287,618), in view of Schramm (DE 29800816). This rejection is respectfully traversed.

Independent claim 14 is drawn to a showering device comprising: (a) a housing in the form of a hand-grip having an inlet side and an outlet side; (b) a shut-off valve located in proximity to the inlet side of the housing; (c) a housing closure located on the outlet side of the housing; and (d) an insertion rinsing tube having an inlet side and an outlet side, wherein the insertion rinsing tube passes through the housing closure and is held in a bore in the housing, and wherein the inlet side of the insertion rinsing tube and the outlet side of the insertion rinsing tube enclose an angle of about 90°.

The Examiner states that Silver teaches a device with a handgrip housing 52 including a closure that accepts an insertion tube that has a 90 degree bend. He also states that Silver *appears* to show a valve handle at the inlet end of his handgrip, and that a valve is shown at 30 near the inlet end of structure 26. Schramm is cited by the Examiner as illustrating the use of a removable tube.

It is urged that neither Silver nor Schramm teach or suggest either an insertion rinsing tube that passes through a housing closure and is held in a bore in the housing, or a shut-off valve located on the housing in proximity to the inlet side of the housing as recited in amended claim 14.

Claim 16 stands finally rejected under 35 USC §103(a) as being unpatentable over Silver (US Patent 4,287,618), in view of Schramm (DE 29800816) as applied to claim 14, and further in view of US Patent 5,056,562 to Pawelsik et al. This rejection is respectfully traversed.

The Examiner asserts that Pawelsik et al. teach the use of chromium plated metal in a water faucet environment. However Pawelsik et al. do not overcome the deficiencies of Silver and Schramm discussed above.

It is urged that neither Silver, Schramm nor Pawelsik et al., taken either singly or in combination, teach or suggest the subject matter of pending claims 12, 14 and 15-18, and that this rejection may thus be properly withdrawn.

The Office Action states that claims 11, 13 and 19-22 stand finally rejected under 35 USC §103(a) as being unpatentable over Bernard et al. (US Patent 5,274,856) in view of Schramm (DE 29800816). In a phone call with the applicant's representative on May 30, 2007, the Examiner stated that claim 14 should also have been included in this rejection. This rejection is respectfully traversed.

Independent claim 19 is drawn to a showering device comprising: (a) a housing in the form of a hand-grip having an inlet side and an outlet side, wherein the inlet side and the outlet side enclose an angle between about 120° and 150°; (b) a shut-off valve located in proximity to the inlet side of the housing; (c) a housing closure located on the outlet side of the housing; and (d) an insertion rinsing tube having an inlet side and an outlet side, wherein the insertion rinsing tube passes through the housing closure and is held in a bore in the housing, and wherein the inlet side of the insertion rinsing tube and the outlet side of the insertion rinsing tube enclose an angle of about 90°.

The Examiner asserts that Bernard et al. teach a showering device with a housing hand-grip body at 48 and with a valve being seen at 38, although not a shut-off valve. The Examiner also states that "the enclosure angle of line 3 is seen above the reference numeral 158" (applicant

assumes that this refers to line 3 of claim 19, which recites that the angle between the inlet side of the housing and the outlet side of the housing of between 120 – 150 degrees), and that the rinsing tube is seen connected to the end of tube 50. With regards to claims 11, 13 and 20-21, the Examiner states that “the axis of 24 and 26, and that of the inlet from 36 .... possess the angular orientations claimed here.” The Examiner further states that Schramm teaches a removable rinsing tube and that it would have been obvious to provide for the valve of Bernard et al. to possess a shut-off feature as taught by the valve of Schramm.

Bernard et al. teach a portable hygienic device comprising an elongated body 20 with a nozzle carrying end 22 which communicates with a cannula via a flexible nipple 26, wherein the body 20 comprise a main body portion 48. At col. 4, lines 21-25, Bernard et al. state that “main body portion 48 is extended by a downwardly-directed stem portion 50 and terminated by an upwardly-inclined end portion 52 which carrier the nozzle and the cannula 24”. Applicant submits that the angle seen above numeral 158 in Fig. 6 of Bernard et al. is not the angle between the inlet and outlet sides of the housing but is in fact the angle between body portion 48 and stem portion 50, and that neither Bernard et al. nor Schramm teach or suggest a housing wherein the inlet and the outlet side enclose an angle between about 120° and 150°. In addition, neither Bernard et al. nor Schramm teach or suggest an insertion rinsing tube wherein the inlet side and the outlet side enclose an angle of about 90, as recited in independent claim 14.

Claims 24 and 25 stand finally rejected under 35 USC §103(a) as being unpatentable over Bernard et al. in view of Schramm, as applied to claim 19, and further in view of US patent 4,287,618 to Silver. This rejection is respectfully traversed.

The Examiner asserts that Silver teaches the use of a rinsing tube having a rounded end. However, Silver does not teach or suggest a housing wherein the inlet and the outlet side enclose an angle between about 120° and 150°, as recited in independent claim 19 from which claims 24 and 25 depend.

Claim 23 stands finally rejected under 35 USC §103(a) as being unpatentable over Bernard et al. in view of Schramm, as applied to claim 19, and further in view of US Patent 5,056,562 to Pawelsik et al. This rejection is respectfully traversed.

Pawelsik et al. teach the use of chromium plated metal in a water faucet environment. However, Pawelsik do not overcome the deficiencies of Bernard et al. and Schramm discussed

above.


It is urged that none of the cited references, taken either singly or in combination, would have rendered the presently pending claims obvious to one of skill in the art at the time the invention was made, and that the rejections of the claims under 35 USC §103(a) may thus be properly withdrawn.

**Concluding Remarks**

A Request for a Two Month Extension of Time, extending the deadline for response to Sunday, September 16, 2007, is submitted herewith.

Favorable reconsideration and allowance of the amended claims is respectfully requested. Should the Examiner have any further concerns regarding this application, he is requested to telephone the undersigned at 206.382.1191.

Respectfully submitted,

  
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